

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**ADRIAN GIL, II,**

**Defendant.**

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**CRIMINAL NO.: EP-22-CR-0773-DB**

**UNITED STATES' MOTION FOR EXTENSION OF TIME  
TO FILE RESPONSE**

Comes now the United States of America, by the United States Attorney for the Western District of Texas, and through the undersigned Assistant United States Attorney, and in support of this motion would show the Court as follows:

On February 26, 2023, Defendant Adrian Gil, II, by and through counsel filed a Motion To Withdraw His Guilty Plea And Dismiss Indictment (ECF No. 39).

On October 24, 2024, Defendant Adrian Gill, II, by and through counsel filed a second Motion To Dismiss the Indictment based on “as applied” under the Second Amendment (ECF No. 80).

The United States requests additional time to consider the merits of Defendant’s claims fully and to assess the applicable law as it relates to the issues potentially raised in Defendant’s second motion. The government believes the “as applied” issue is currently before the Court.

Therefore, the United States respectfully moves for a 10-day extension to file its response to Defendant’s motion. This extension would provide the United States with sufficient time to review the information needed to give Defendant’s Motion full consideration. The United States’ request is not made for purposes of unnecessary delay, but so that justice may be served.

Wherefore, premises considered, the United States respectfully requests that the Court grant this motion for an extension of time to file its response.

Respectfully submitted,

JAIME ESPARZA  
UNITED STATES ATTORNEY

By: /s/  
STANLEY M. SERWATKA  
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## CERTIFICATE OF SERVICE

I certify that on November 6, 2024, I electronically filed this document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Matthew DeKoatz  
Attorney for Defendant

By: /s/  
STANLEY M. SERWATKA  
Assistant U.S. Attorney

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**ORDER**

On this date came to be considered the United States' motion for an extension of time to file a response, and after considering the same, the Court is of the opinion that said motion should be GRANTED.

IT IS HEREBY ORDERED that the United States' response to defendant Adrian Gill, II's Motion to Dismiss is due on or before November 18, 2024.

Signed and entered this \_\_\_\_\_ day of November 2024.

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HONORABLE DAVID BRIONES  
UNITED STATES DISTRICT JUDGE